

MINUTES
THE CITY OF ST. CHARLES
LIQUOR CONTROL COMMISSION MEETING
MONDAY, MAY 15, 2023, 4:30 PM

1. Call to Order.

The meeting was called to order by Commissioner Vitek at 4:30 pm.

2. Roll Call.

Present: Gehm, Pietryla

Absent: Zollers, Bancroft

3. Motion by Ald. Pietryla, second by Mr. Gehm to accept and place on file minutes of the Liquor Control Commission meeting held on April 17, 2023.

Roll Call Vote: Ayes: Mr. Gehm, Ald. Pietryla. Nays: None, Absent: Ald. Bancroft, Ms. Zollers. Mayor Vitek did not vote as Commissioner. **Motion Carried**

4. Recommendation to approve a proposal for an E1 Temporary Liquor License Application for St. John Neumann Church, located at 2900 E Main Street.

Chief Keegan explained that the festival will take place on Saturday, May 20 from 5:00 – 8:00 pm and personnel are Basset trained.

Motion by Mr. Gehm, second by Ald. Pietryla to recommend approval of an E1 Temporary Liquor License Application for St. John Neumann Church, located at 2900 E Main Street.

Roll Call Vote: Ayes: Mr. Gehm, Ald. Pietryla. Nays: None, Absent: Ald. Bancroft, Ms. Zollers. Mayor Vitek did not vote as Commissioner. **Motion Carried**

5. Discussion Regarding a Complaint of Violation and Hearing Notice for Meijer Great Lakes, Ltd., 2929 Walker NW, Grand Rapids, MI, for a Tobacco License issued by the City of St. Charles for the location at 855 Randall Road, St. Charles.

Commissioner Vitek read the Complaint of Violation for the record.

COMPLAINT OF VIOLATION

NOW COMES the Petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois, and files this complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as follows:

1. The Petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles.

OFFENSE

2. On or about April 12, 2023, Meijer Great Lakes, Ltd. ("Licensee") was operating under a Tobacco License issued by the City of St. Charles for the location at 855 Randall Road, St. Charles, Illinois 60174 ("Premises").

3. On or about April 12, 2023, at approximately 2:43 p.m., Licensee, by and through its employees, officers and/or agents on the Premises, committed the following violation of the St. Charles Tobacco Code:

OFFENSE

Sold tobacco/alternative nicotine product to a minor, in violation of Section 5.16.070 of the St. Charles Municipal Code.

4. That the acts detailed in Sections of this Complaint of Violation is prohibited and is in violation of and contrary to Sections 5.16.070 of the St. Charles Municipal Code and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act.

5. Licensee is responsible for the acts of its employees, officers and agents and is Required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said Premises.

WHEREFORE, the Petitioner, James Keegan, Chief of Police, requests, pursuant to Sections 5. 16.180 of the St. Charles Municipal Code, that the Local Liquor Control Commission, a/k/a the Tobacco Commission, hold a hearing on this matter and take such action against Licensee as the Commission shall deem appropriate under the circumstances.

Attorney Peppers confirmed that the arraignment form was received. The Licensee pleaded guilty and did not request a hearing.

Further discussion will be conducted in Executive Session.

6. Discussion Regarding a Complaint of Violation and Hearing Notice for St. Charles Tobacco 108, Inc., 2075 Prairie Street, St. Charles.

Commissioner Vitek read the Complaint of Violation for the record.

COMPLAINT OF VIOLATION

NOW COMES the Petitioner, James Keegan, Chief of Police of the City of St. Charles,

Illinois, and files this complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as follows:

1. The Petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles.

OFFENSE

2. On or about April 12, 2023, St. Charles Tobacco 108, Inc. ("Licensee") was operating under a Tobacco License issued by the City of St. Charles for the location at 2075 Prairie Street, St. Charles, Illinois 60174 ("Premises").

3. On or about April 12, 2023, at approximately 2:20 p.m., Licensee, by and through its employees, officers and/or agents on the Premises, committed the following violation of the St. Charles Tobacco Code:

OFFENSE

Sold tobacco/alternative nicotine product to a minor, in violation of Section 5.16.070 of the St. Charles Municipal Code.

4. That the acts detailed in Sections of this Complaint of Violation is prohibited and is in violation of and contrary to Sections 5.16.070 of the St. Charles Municipal Code and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act.

5. Licensee is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said Premises.

WHEREFORE, the Petitioner, James Keegan, Chief of Police requests, pursuant to Sections 5.16.180 of the St. Charles Municipal Code, that the Local Liquor Control Commission, a/k/a the Tobacco Commission, hold a hearing on this matter and take such action against Licensee as the Commission shall deem appropriate under the circumstances.

Attorney Peppers confirmed that the arraignment form was received. The Licensee pleaded guilty and did not request a hearing.

Further discussion will be conducted in Executive Session.

7. Public Comment - none

8. Executive Session

Motion by Ald. Pietryla, second by Mr. Gehm to enter executive session.

Roll Call Vote: Ayes: Mr. Gehm, Ald. Pietryla. Nays: None, Absent: Ald. Bancroft, Ms. Zollers. Mayor Vitek did not vote as Commissioner. **Motion Carried**

The regular meeting resumed at 4:38 pm.

9. Adjournment.

Motion by Ald. Pietryla, second by Mr. Gehm to adjourn the meeting at 4:39 pm.

Voice Vote: Ayes: Mr. Gehm, Ms. Zollers Nays: None, Absent: Ald. Bancroft, Ald. Pietryla. Mayor Vitek did not vote as Commissioner. **Motion Carried**

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